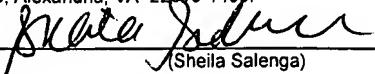


I hereby certify that this paper is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EM 021709135 US, on the date shown below in an envelope addressed to: MS RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: April 11, 2008 Signature:   
(Sheila Salenga)

Docket No.: 643032000200  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Patent Application of:

Thomas W. DUBENSKY, Jr. et al.

Confirmation No.: 8458

Application No.: 10/773,792

Art Unit: 1645

Filed: February 6, 2004

Examiner: J. Graser

For: LISTERIA ATTENUATED FOR ENTRY INTO  
NON-PHAGOCYTIC CELLS, VACCINES  
COMPRISING THE LISTERIA, AND  
METHODS OF USE THEREOF

**RESPONSE TO FINAL OFFICE ACTION UNDER 37 C.F.R. § 1.114**

MS RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**INTRODUCTORY COMMENTS**

This response accompanies a Request for continued Examination (RCE). Amendments and remarks presented herein are responsive to the Final Office Action dated October 11, 2007 (Paper No. 20071004), for which a response was due on January 11, 2008. Filed herewith is a Petition and fee for a three month extension of time, thereby extending the deadline for response to April 11, 2008. Accordingly, this RCE and response is timely filed. Reconsideration and allowance of the pending claims, as amended, in light of the remarks presented herein are respectfully requested.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 8 of this paper.